

**GENERAL RULES AND REGULATIONS OF THE
WENATCHEE CIVIL SERVICE COMMISSION FOR
POLICE AND FIRE DEPARTMENTS**

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GENERAL RULES AND REGULATIONS OF THE WENATCHEE CIVIL SERVICE COMMISSION FOR POLICE AND FIRE DEPARTMENTS

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ADOPTED 2009 (Superseding Former Rules and Regulations)

RULE 1 GENERAL PROVISIONS:

AUTHORITY AND APPLICATION:

Pursuant to the provisions of the Municipal Codes of the City of Wenatchee and Washington State Law, the City of Wenatchee Civil Service Commission adopts these Rules and Regulations. The rules are applicable to proceedings before the Civil Service Commission and should be read in conjunction with the applicable provisions of the Charter and Municipal Code.

SCOPE AND PURPOSE:

The Civil Service Commission will represent eligible employees of the Wenatchee Fire Department and Wenatchee Police Department and will, if possible, adopt uniform policies. The purpose of these rules is to assure that the Civil Service System in the City is administered in accordance with the City of Wenatchee ordinances, and that all proceedings before the Commission are conducted in an orderly, fair and timely manner.

VALIDITY:

The Civil Service System implemented by these rules substantially accomplishes the purpose of Chapters 41.08 and 41.12 of the R.C.W. These rules are presumed to be valid and shall be upheld unless in direct conflict with Chapters 41.08 and 41.12 of the R.C.W.

SEVERABILITY:

If any provision or application of these rules to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications of these rules.

RULE 2 DEFINITIONS:

Assessment Center or Assessment Lab: A means of gathering relevant information under standardized conditions regarding the capabilities of an applicant to perform a specific job or task.

Applicant: Someone who has applied for a position and is being screened for additional employment testing.

Administration: Long range planning, economic development and work with the city council for overall policy development. Maintain recordkeeping for official City documents. They serve as a liaison between the public, Mayor/Council and city departments.

Appointing Authority: The Appointing Authority as designated by the City Mayor is the director of the department. For the police department, the director is the Chief of Police or his/her designee. For the fire department, the director is the Fire Chief, or his/her designee. The director is authorized to hire, promote, discipline or discharge an employee.

Candidate: An applicant that has been screened participated in initial testing and been placed on an eligibility list allowing for further departmental testing and consideration for employment.

Cause: Any action or inaction that the Civil Service Commission deems appropriate justification for disciplinary action, to include termination, suspension or reduction in rank. Cause may also include any justifiable reason to remove a candidate from an eligibility list.

Certification: The process of the Commission approving the list of final scores on the eligibility list.

Civil Service Secretary-Examiner: Appointed by the Civil Service Commission as outlined in these rules and as outlined in RCW 41.08.040. When Secretary is referred to in these rules, the term will include the Secretary-Examiner or a designee.

Class: A group of positions sufficiently similar in duties, responsibilities, authority and qualifications. All work under the same title with equal pay and compensation.

Classified Service: All city employees under the jurisdiction of the Civil Service Commission.

Conditional Offer: A potential offer of employment made by the Appointing Authority. The offer is pending the outcome of all required employment screenings and interviews and may be retracted for cause.

Collective Bargaining Agreement: A labor contract between administration and employees.

Commission: The Commission, as referred to in these rules is referenced to the Civil Service Commissioners; the term will include the commission or its designee.

Competitive Exam: The process of screening, interviewing and ranking qualified candidates.

Demotion: Demotion, for purposes of these rules, will be used in regard to an employee being removed from a promotional rank by the Appointing Authority and placed back to the last rank held by said employee prior to promotion.

Efficiencies: Considerations an Appointing Authority within the Wenatchee Fire Department may use during a reduction in force, along with seniority levels. All efficiencies may include, but are not limited to technical proficiencies/skills and rank. All Efficiencies used will be subject to approval of the Commission.

Emergency: An emergent need for action from the Civil Service Commission to be determined by the Civil Service Commission and in the best interest of the City.

Employment Handbook: References the City of Wenatchee Employee Handbook.

Entry Level: A position within the fire or police department for an employee that meets the minimum requirements of that department.

Eligibility List: The list of individual candidates in ranking order as presented by the Secretary-Examiner and as approved by the Civil Service Commission or designees.

Fire and Rescue: Fire suppression, prevention and investigation, medical and rescue emergency response, public education and safety. For purposes of these rules, the Wenatchee Fire and Rescue Department will be referred to as the Wenatchee Fire Department.

Fire Fighter: All uniformed, sworn personnel in the Wenatchee Fire and Rescue Department.

In Grade: Time in a paid position/rank.

Final Examination Score: Total score of the testing components, including any applicable preference percentage and/or scoring criteria status required by the law, these rules and/or approved by the Commission.

IFSAC: International Fire Service Accredited Congress.

LEOFF: Washington State Law Enforcement and Fire Fighters Retirement Systems Act.

Lateral: An employee entering into employment with the City at a rank higher than entry level.

Lay-off: The involuntary termination or demotion of an employee for reasons other than cause.

Military Service: An employee that is holding or has held a rank within the US Armed Forces.

Non-Commissioned Applicants: Applicants, other than Officers or Fire Fighters, applying for employment that does not require being sworn in by the Appointing Authority.

Open Public Meeting: Meetings open to the public and either set at a regular date and time or posted for public attendance.

Police: All certified and sworn police and civilian personnel within the police department covered by Civil Service.

PST: Public Safety Testing. An outside authority used for the screening and ranking applicants for consideration of employment within police and fire departments.

Position: Employment established by the Appointing Authority and offered to a qualifying candidate.

Probation: A test period when employees are required to demonstrate their ability and capacity to perform duties satisfactorily.

Promotion: An elevation in rank and pay.

Public Notice: The posting of a Civil Service position.

RCW: Revised Code of Washington.

Recruit: An applicant applying for an entry level position.

Reduction in Force: See “Lay-off”.

Rehire: An employee that has separated from employment and is requesting to rejoin city employment.

Reduction in Rank: See “Demotion”.

Regular Employee: A City employee in a civil service position who has successfully completed a probationary period as a new hire. A full-time paid employee.

Resignation: The voluntary action by an employee that terminates employment.

Roberts Rules of Order: The guidelines in which the Commission will conduct all public meetings.

Rule of Three: The top three names of candidates on a Commission approved eligibility list provided to the Appointing Authority for potential employment. If a candidate is deemed not eligible by the Appointing Authority, the Commission will revise the three candidates by adding additional names from the approved list. The rule of three can be adjusted by the request of the Appointing Authority and with Commission approval.

Seniority: The length of uninterrupted service by the employee following his/her most recent hires or rehire. Seniority may include authorized leaves with pay and time lost because of duty-connected disability. Leaves without pay and time on layoff shall not apply to seniority.

Separation of Employment: Any action that removes a paid employee from their position, temporarily or permanently.

Suspension: A temporary removal of an employee from duty, with or without pay, for disciplinary or investigative purposes.

Sworn Personnel: City employees required to be sworn into their position by the Appointing Authority.

Temporary Appointment: A regular employee in a position for a limited duration.

Termination: Termination for purposes of these rules will be used in regard to the separation of employment from a position by the Appointing Authority.

Veteran: An applicant that has held a documented rank within the US Armed Forces as determined by RCW 41.04.007..

RULE 3 ADMINISTRATION AND OPERATIONS

COMMISSIONERS: The Civil Service Commission is composed of three persons appointed by the City Mayor. The terms of the Commissioner will be staggered for two, four and six years.

- a. A Commissioner may resign for any reason or be removed from office for cause as provided by the City Municipal Code.
- b. There is no maximum term limit. A Commissioner is eligible for reappointment upon the expiration of term.

CHAIR: The Commission will elect one of its members as Chair. Should a Chair resign or be removed from the position prior to expiration of their term, the Commission, upon the appointment of a new member shall elect a new Chair.

COMMISSION ADDRESS AND HOURS: The office and address of the Civil Service Commission will be in c/o the City of Wenatchee, 129 S. Chelan Ave, Wenatchee, WA 98801. Telephone contact with the Commission will be made through the City of Wenatchee Human Resource Department at (509) 888-6203.

COMMISSION MEETINGS:

The Commission will schedule a regular monthly meeting time and place. The meeting time and/or place may change at the discretion of the Commission. Any meeting can be canceled and/or re-scheduled if there is no pending business requiring Commission action and/or if necessary for other reasons.

- a. At the time of adoption of these rules, the Commission meeting schedule is the second Monday of each month at 4:30 p.m. in the City Council Chambers at City Hall.
- b. The Commission may schedule additional meetings as necessary. Notice of these special meetings will be provided as required by the Open Public Meetings Act (Chapter 42.30 of the RCW).
- c. The Commission may also schedule and conduct hearings as required. Notice of hearings will be done as required by these rules.
- d. All Commission meetings or hearings, regular or as required, will be open and public. However, the Commission may meet in executive session as authorized by unanimous vote, and by the Open Public Meetings Act, RCW 42.30.
- e. Two members will constitute a quorum and two affirmative votes will be required for the transaction of official business.
- f. The Secretary-Examiner and or designee will attend all meetings.
- g. Roberts Rules of Order shall be the final authority on all questions of procedure and parliamentary law.

POWERS AND DUTIES:

The Civil Service Commission will:

- a. Adopt rules for the regulation of personnel matters within classified service.
- b. Appoint, whenever necessary, a Secretary-Examiner in conformity with these rules.
- c. Approve minutes of meetings and keep record of proceedings. Upon approval, the minutes of each meeting will be signed by the chair and countersigned by the Secretary-Examiner or designee.
- d. Approve the creation, amendment or discontinuance of classified positions.
- e. Provide competitive tests for classified positions, as requested by the Appointing Authority and as required by these rules.
- f. Investigate all disciplinary actions as requested by classified employees.
- g. Hear and determine appeals arising from applications, testing and promotional appointments as requested by the Appointing Authority, classified employee, applicant or candidate.
- h. Execute the Commission as powers and duties are imposed by Chapters 41.08 and 41.12 of the RCW.

CHANGES OR UPDATES TO THE CIVIL SERVICE RULES AND REGULATIONS:

As the need arises, the Commission reserves the right to modify these rules. The Commission may also deviate from these rules in individual situation, particularly in an emergency, in order to achieve the primary mission of serving Wenatchee Police and Fire Departments. Employees may request changes to these rules by submitting their suggestions in writing to the Commission. Changes will be provided to the Appointing Authorities and Labor Representative for both the Wenatchee and Fire Departments. It will be those persons responsibility to provide the change to all affected employees.

RULES 4 SECRETARY-EXAMINER:

The Commission shall appoint and set the salary of a Secretary-Examiner (herein referred to as Secretary) within the City of Wenatchee guidelines. The Commission may set a list of minimum qualifications and shall conduct a competitive examination of qualified applicants, per RCW 41.08.040. The Secretary cannot be a member of the Wenatchee Police or Fire Departments.

DUTIES:

- a. Keep minutes and records of the proceedings of the Commission.
- b. Safekeeping of the records and property of the Commission.
- c. Provide proper notice of regular and special meetings of the Commission.
- d. Schedule hearings and notify all parties of hearing schedules.
- e. Make recommendations regarding policy and amendments to these rules

- f. Report to the Commission at each regular Commission meeting.
- g. Prepare expenditure of funds by the Commission for the City Finance Director.
- h. Prepare, under the direction of the Commission, and conduct all examinations including: posting examination, consulting with the Appointing Authority, determining minimum qualifications, scoring the examinations, establish a ranking list of those with passing scores, prepare an eligibility list for the Commission to review for certification and inform the Commission of all appeals from any part of the examination.
- i. Secure the approval of the Commission for the questions used in each examination.
- j. Supervise or appoint a designee from the Commission to be personally present at all examinations.
- k. Facilitate correspondences and questions to the Commission.
- l. Remove name(s) from an entry level/lateral eligibility list as provided for in these rules.
- m. Record the votes taken and how the Commissioners voted.
- n. Provide notification of Commission meetings to each Commissioner, Appointing Authority and labor representative of each department at least 7 days prior to the next meeting. Provide minutes to each Commissioner prior to the meeting and copies to others as requested or required by state law.
- o. Perform all other functions necessary for the proper carrying out of these rules and/or the provisions of law relating to the Civil Service System and such additional duties as may be assigned from by the Commission.

REVIEW OF ACTIONS OR DECISIONS OF THE SECRETARY:

There is no appeal of any action or decision of the Secretary except as specifically provided for in these rules. However, the Commission retains the authority to review or modify any action or decision of the Secretary as it deems necessary to carry out the purpose of the State law, City ordinances, or these rules.

RULE 5 RULEMAKING

The Commission may apply principles as it deems necessary to carry out the purposes of state law and the existing rules in cases that are not clearly defined by the current rules adopted by the Commission.

Amendment of Rules: The Commission may amend these rules or adopt new rules by a majority vote of the Commission at any regular or special meeting of the Commission.

- a. Amendments to these rules shall be first discussed in an open regular or special set meeting at least one meeting prior to adoption.
- b. Upon declaration of an emergency, a rule amendment may be adopted at a meeting where the amendment is first proposed.

Effective Date of Rules: All rules and amendments will become effective immediately upon their adoption by the Commission, unless specified otherwise by the Commission.

Copies of Rules: A copy of these rules and a copy of all subsequent rules or amendments will be sent (as soon as practical after adoption) to each department with protected employees. The Secretary will maintain a master copy of the rules, and copies will be available as requested or required by state law. A current copy of the Commission rules will be available on the City of Wenatchee website.

Interpretation of Rules: The Commission has the authority to interpret these rules.

RULE 6 ENTRY LEVEL AND LATERAL QUALIFICATIONS OF APPLICANTS

FIRE DEPARTMENT:

An applicant for any position must be a citizen of the United States of America and read, write and speak English. The applicant must have a high school education, or accredited high school equivalency. The applicant must possess a current State of Washington Emergency Medical Technician Certification, a current State of Washington Fire Fighter 1 Certification and be in compliance with the International Fire Service Accreditation Congress (IFSAC) requirements. The applicant must pass a background investigation, psychological examination and physical examination. Other examinations may be required as part of the hiring process.

POLICE DEPARTMENT:

Entry Level Police Officer: An applicant for any position must be a citizen of the United State of America and read, write and speak English. The applicant must possess an AA/AS/AAS degree from an accredited college or is a current Reserve Officer/First Class with the Wenatchee Police Department and certified by the Washington State Criminal Justice Training Commission. The applicant must pass a background investigation, polygraph examination, psychological examination and physical examination. Other examinations may be required as part of the hiring process.

Lateral Entry Police Officer: If commissioned in Washington State, an applicant must have at least three continuous years of fully commissioned full-time law enforcement

experience within the last eight years or have at least one continuous year of commissioned full-time experience within the last 24 months and possess at least an AA/AS degree from an accredited college. This rule is meant to mirror the lapse in service requirement set forth in WAC 139-05-210.

If commissioned in a state other than Washington State, an applicant must have at least three years of full-time commissioned experience within the last five years or have at least one year of commissioned full-time experience within the last 24 months and possess at least an AA/AS degree from an accredited college.

All lateral entry applicants must have successfully completed their agency's required probationary period and have successfully complete the Washington State Criminal Justice Training Basic Law Enforcement Academy or an equivalent state certified law enforcement basic academy. The applicant must pass a background investigation, polygraph examination, psychological examination and physical examination. Other examinations may be required as part of the hiring process.

Non-Commissioned Applicants: An applicant for any position must be a citizen of the United States of America and read, write and speak English. The applicant must be 28 years of age at the time of employment, possess a high school diploma or GED and pass a background investigation and polygraph examination. Other examinations may be required as part of the hiring process.

AGE LIMITATIONS:

Unless otherwise provided in these rules, no person will be admitted to entry level examinations for sworn personnel who are less than twenty years of age at the time of the examination.

MEDICAL/PHYSICAL EXAMINATIONS:

A complete medical/physical examination will be taken by all new sworn personnel prior to entering their employment. The examination requirements will be set forth by the Commission or the Appointing Authority.

All examinations will be by a licensed medical provider and the results recorded on the proper forms required by the city. The expense of the examination will be covered by designated funds of each department. Candidates shall not report for duty until they have been certified by a licensed medical provider. Candidates may be required to submit to additional physical testing as required by respective retirement programs.

RULE 7 APPLICATIONS

ANNOUNCEMENT: Whenever there is a need the Secretary will give public notice or refer to qualified applicants provided by PST in order to solicit applicants to test. The announcement will include:

- a. The title and minimum salary of the position.
- b. The minimum qualifications required.
- c. The location where the applications may be made.
- d. The final date the applications will be accepted.
- e. A non-refundable application fee that may be required at the time of filing.
- f. The number of applicants the exam will be limited to.
- g. Entry level written and physical fitness examinations for Police Officer and Fire Fighter applicants are conducted by PST.

APPLICATION FORMS: Applications for examination will be made on forms furnished by the Commission and as prescribed by the Commission. Entry level applicants will also be referenced by PST forms.

FALSE STATEMENTS: Any willful false statement made by a person in connection with an application for examination will be cause for exclusion from eligibility of employment and may include removal or discharge from probationary employment.

DEFECTIVE APPLICATION: A defective application may be returned with notice to correct. Only one opportunity will be given for amendment. If an applicant is disqualified for examination, the Secretary will inform the applicant.

RETAINED IN COMMISSION FILE: The applications completed by testing applicants will be retained for three years, or as otherwise required by law or city ordinance.

MINIMUM PERIOD OF ACCEPTANCE: Applications for examination and employment must be accepted for a minimum of 14 days after notice of the exam.

NOTIFICATION TO APPLICANTS: Applicants shall be given notice of the time and place of the examination. Failure to respond to a notification by the Secretary will be cause to disqualify the applicant. An applicant can waive one testing date and still be considered for future exams.

BASIC REQUIRMENTS OF APPLICANTS: Applicants must meet the following in order to be considered by the Commission:

- a. The minimum requirements of the position.
- b. Be able to perform the requirements set forth by the announcement for testing and/or the position sought.

- c. Be free of felony or disqualifying misdemeanor convictions.
- d. Left any prior city employment in good standing.
- e. Been present for all parts of the examination.
- f. Refrained from any involvement in preparing the examination giving an unfair advantage over other applicants.
- g. No provided money, services or goods to anyone involved in the examination in order to gain an advantage over other applicants
- h. Met all other minimum qualifications set forth by law.

APPEAL RIGHTS FOR APPLICANT CANDIDATES: If an Appointing Authority determines during any phase of the application process and/or candidate screening that there is good cause to remove a name from consideration they will provide their reasoning to the Commission in writing. The Commission will then provide the candidate with their appeal rights. Candidates may request in writing, within 14 days of notice, the reason for the rejection of their application and/or removal from the eligibility list.

RULE 8 EXAMINATIONS

SCOPE: All examinations will be practical and impartial and will consist of material fairly required of the applicants for the position or promotion.

EXAMS: The exams will be competitive and may consist of any or all of the following as deemed and approved, prior to the exam, by the Commission:

- a. Written and practical tests.
- b. Impartial investigation.
- c. Physical fitness and manual skill.
- d. An oral board examination.
- e. Assessment Center evaluations for promotional examinations

ORAL EXAMINATIONS: Oral examinations will be granted to the highest scoring qualified applicants as determined by the Commission. The panel members, questions and procedures for the oral examination will be set and approved by the Commission.

VETERANS CREDIT: In accordance with RCW 41.04.005 and RCW 41.04.010, there may be a credit for applicants under civil service who have verification of military service.

PROCEDURES: Applicants must be present at the time they have been instructed to test. Time limits for exams will be announced prior to the exam. The applicant will surrender the test and all additional paper used during the exam to the Secretary before leaving the examination room. All final examination scores will be prepared by the Secretary-Examiner and reviewed by at least one member of the Commission prior to certifying the eligibility list.

FAIRNESS PRACTICES:

- a. The Secretary or designee will be present during all parts of the exam when reasonable and practical.
- b. Once the exam begins no communications will be made between applicants. During assessment center testing, candidates will be required to maintain professional demeanor at all times. Candidates shall not discuss exam components with other candidates that are still testing.
- c. Examinations will be conducted as regulated by the Commission.
- d. Applicants can be disqualified at any time during the testing process if they have violated rules set forth by the Commission or test administrator.
- e. The Commission will follow the laws of the Equal Employment Opportunity and American with Disabilities Act, as well as the employees with life threatening/communicable diseases, employment of family members and anti-harassment/sexual harassment policies as outline by the Employee Handbook (sections 2.0 to 2.4).
- f. The Commission will abide by and encourage the reporting of improper governmental action as defined by the Employee Handbook (section 2.6).
- g. If requested by a candidate, the Civil Service Secretary will make arrangements for the review of past exam materials. The review will allow for the candidate to see all of their own written exam materials and any available assessor scoring or input. The review will take place in the presence of the Civil Service Secretary or appointed representative. Exam materials cannot be copied or removed from the possession of the Civil Service Commission.

APPEAL RIGHTS: An applicant who participates in an examination may file an appeal to the Commission based on the following grounds:

- a. The Commission failed to follow City ordinance, state law or its own rules in the administration of the examination and/or the examination process.
- b. The examination was not valid, for example the exam was not job related.
- c. The examiners were not impartial.
- d. A clerical error was made in the scoring of the examination.
- e. The examination or the examination process was discriminatory as defined under state law.

PROCEDURES FOR APPEALS: The following procedures must be followed for filing an examination appeal:

- a. Notice of appeal must be in writing and filed with the Commission.
- b. The notice of appeal must contain a brief description of the facts giving rise to the appeal, a concise statement of the reason for the appeal and desired remedy.
- c. The notice must be received by the Secretary within 14 days following the certification of the list. Failure to appeal within this time period is a waiver of any right to appeal the examination that is established by these rules.
- d. Upon receipt of an appeal the Commission will review the facts and respond in a timely manner.

CERTIFICATION AND FINALIZATION OF THE ELIGIBILITY LIST: The Commission will calculate all scores and each applicant will be ranked in accordance on a scale of 0 to 100%. The exam will be certified as soon as the Commission is able.

The Commission may call a special session in which to certify the exam, outside of a regular meeting. With a quorum of Commissioners, the list can be certified on the day of the exam. The final list will be given to the Appointing Authority by the Secretary. Each applicant will be notified of their exam score and position on the list by the Secretary or Designee.

RULE 9 LIST OF ELIGIBILITY

ESTABLISHMENT OF LISTS: All candidates who attain a passing grade will be eligible for appointment or promotion to the position for which the examination was taken. Their names will be ranked on an eligibility list in order of their final score with the highest composite score first on the list and the remaining in order.

ENTRY LEVEL ELIGIBILITY LIST: An eligibility list for recruits will be maintained at all times. The list will remain in effect for one year from the date of certification, unless the Commission extends the term of the list. Entry level eligibility lists for the Wenatchee Police Department will be continuous. Entry level eligibility lists for the Wenatchee Fire Department will be set for a twelve month period.

PROMOTIONAL ELIGIBILITY LIST: A promotional eligibility test for police and fire will remain in effect as determined by rank. The promotional exam may be postponed at the request of the Appointing Authority, but only temporary appointments can be made from an expired list. Permanent appointments will require the Commission to administer a new promotional exam.

REINSTATEMENT LIST: A reinstatement list will be kept with the names of those who have been subject to lay off from a reduction in force. Those who have separated from employment voluntarily will require Commission approval to be considered for the reinstatement/rehire list. . Those who have been subject to lay off will be the first to be considered for reemployment with the City by seniority. Collective Bargaining Agreements will prevail when establishing a list for reinstatement/rehire and will determine the period of time the reinstatement/rehire lists will be held in effect

REHIRE RULES: Employees shall be selected by first order of list and second by order within the lists. The order of lists shall be as follows: 1) Medical reinstatement list; 2) Layoff and reduction in rank lists; 3) Re-employment; 4) Initial employment and promotion lists. Whenever two or more persons have equal claim to a position on a list, the order in which such applicants will be listed will be determined by lot or as determined by Collective Bargaining Agreements. (covered in the reinstatement rule)

DISPOSITION OF A TIE: Candidates that have equal final scores will be placed at the same rank on the list but counted separately when determining the next rank. For example, two candidates with an equal score that is third highest will be ranked at 3; the next candidate will be ranked at 5.

CERTIFICATION OF ELIGIBLE AND TEMPORARY APPOINTMENTS: In the event of a vacant position to be filled, the Commission will provide the Appointing Authority the names of the top three persons on the eligibility list for that class. If the list is not current, the last list in effect will allow for a temporary appointment. Any temporary appointment for more than six months in a twelve month period must be in writing and have Commission approval. The time in a temporary appointment will not apply toward credit for the probationary service of the position that the employee has been appointed. When appointing a temporary appointment, Collective Bargaining Agreements will prevail.

SPECIAL PROFICIENCY: If a special proficiency is needed for a position to be filled, the Appointing Authority will notify the Commission. The Commission will then provide the names of the applicants on the list having the highest standards in that proficiency.

DECLINING APPOINTMENTS: A candidate on an eligibility list can waive an appointment on one occasion without removal from their position on the list. If they wish to waive an appointment a second time, the candidate must present their request in writing before the Commission for a ruling. If excused by the Commission, they may waive a second appointment and remain on the list. Otherwise, their name will be removed from the eligibility list.

NOTICE OF ELIGIBLE CANDIDATE CHANGES: Each individual on an eligibility list is responsible for notifying the Secretary of any change of address, phone number, e-mail address or employment status. Failure to do so may result in removal of their name from the eligibility list.

FAILURE TO RESPOND TO APPOINTMENT: If a candidate fails to respond to an appointment offer within 14 days of notice of appointment, the candidate will be considered disqualified and their name removed from the eligibility list.

CONTINUOUS ELIGIBILITY LIST: Ongoing lists will place each candidate ranked in order by score. The candidate will remain on the list for a continuous twelve month period. As additional tests are administered, the list will be updated to rank all eligible candidates in order by score. Additional tests/interviews may affect a candidate's ranking during their twelve months of eligibility.

RULE 10 APPOINTMENTS

APPOINTING AUTHORITY: The Appointing Authority will be the Chief of Police or the Chief of Fire for the City of Wenatchee, or appointed designees.

BASIS OF APPOINTMENT: All appointments and promotions made on merit, efficiency and fitness will be made fairly and impartially under the advisement of the Commission and as deemed warranted by the Appointing Authority.

RIGHTS OF APPOINTING AUTHORITIES: In making appointments for all positions of a certified position, the Appointing Authority will request and be furnished with the certified list by the Commission. Any paper correspondence provided to the Appointing Authority must be returned to the Commission.

PROBATION PERIOD: No appointment or promotion to any position in the classified service shall be complete until after twelve months of probation period and completion of all department training requirements.

TERMINATION OF PROBATION PERIOD: At any time during the twelve months probationary period, the Appointing Authority may terminate the appointment of the person if the person is found to be unfit or unsatisfactory. The Appointing Authority must notify the Commission in writing of such termination of employment. This notification is not subject to appeal.

DEMOTION OF PROMOTIONAL PROBATIONARY PERIOD: At any time in the twelve months of probation, the Appointing Authority may terminate the promotional appointment of an applicant if that person is found unfit or unsatisfactory. The Appointing Authority must notify the Commission in writing of such removal. The probationary employee will have the right to revert to a position held equal to his prior permanent class and they will be removed from the promotional eligibility list. This action on the part of the Appointing Authority is not subject to appeal.

RULE 11 GENERAL PROMOTIONS

BASIS OF PROMOTIONS: Promotions will be made as determined by these rules.

REQUIREMENTS WAIVED: The Commission may waive minimal requirements for promotional examinations, if in their opinion; it would be beneficial to the department.

PROMOTIONAL ELIGIBILITY LIST: Promotional appointments shall be made from the promotional eligibility list which shall be valid as determined by rank and from the date the list is certified by the Commission.

PROBATIONARY PERIOD: A promotional appointment will not be permanent until a probationary period of 12 months has been successfully completed.

DUE TO LAY OFF : If a promotional appointment is not made permanent due to a demotion caused by lay off or reduction in force, the employee will be returned to the eligibility list as though they had never received an appointment to that position.

DUE TO DISABILITY LEAVES: If a position becomes vacant because the employee holding the position is on disability leave, the position may be filled by making a temporary promotional appointment.

DEMOTION DURING PROBATION: A probationary period of twelve months will commence on the date of an employee's promotional appointment. At any time during the probationary period the Appointing Authority may terminate the promotional appointment.

NO CREDIT FOR TEMPORARY EMPLOYMENT: The time an employee serves in a probationary period or temporary appointment will not be credited toward the employee's completion of a later probationary or promotional opportunity.

RULE 12 FIRE DEPARTMENT PROMOTIONS

ASSISTANT FIRE CHIEF: An applicant will have at least three years of service as a Captain or higher in the Wenatchee Fire Department or a comparable department for at least three years of service in that position by the date of the exam to be eligible to test.

BATTALION CHIEF: An applicant will have at least two years of service at a rank of Captain at the Wenatchee Fire Department by the date of the exam to be eligible to test.

CAPTAIN: An applicant will have at least five years of service at the Wenatchee Fire Department by the date of the exam to be eligible to test.

ENGINEER/DRIVER: An applicant will be a First Class Fire Fighter within the Wenatchee Fire Department by the date of the exam to be eligible to test.

FIRST CLASS FIRE FIGHTER: An applicant will have at least three years of total service to be a First Class Fire Fighter

SECOND CLASS FIRE FIGHTER: An applicant will have at least one year of total service before being eligible as a First Class Fire Fighter.

THIRD CLASS FIRE FIGHTER: An applicant will have at least one of year of total service to become eligible as a Second Class Fire Fighter.

RECRUIT FIRE FIGHTER: An applicant will serve at least one year of total service to be eligible to be classified as a Third Class Fire Fighter.

****Promotions earned and not tested include first, second and third class fire fighter within the department. These promotions are awarded through the Wenatchee Fire Department Command Staff and not the Commission. Pay classifications for all ranks will be as determined by the City of Wenatchee Human Resources Department.**

RULE 13 POLICE PROMOTIONS

CAPTAIN: An applicant will have at least two years of service as a Sergeant in the Wenatchee Police Department to be eligible to test for Captain.

SERGEANT: An applicant will have at least one year as a First Class Patrol Officer in the Wenatchee Police Department. Applicants holding a rank of Corporal must continue to test in order to be as eligible for promotion to the rank of Sergeant.

CORPORAL: An applicant will have at least one year as a First Class Patrol Officer in the Wenatchee Police Department. Applicants holding a rank of Corporal must continue to test in order to be eligible for promotion to the rank of Sergeant.

FIRST CLASS PATROL OFFICER: An applicant must have at least one year in grade as a Law Enforcement Police Officer as required by the Washington State Criminal Justice Commission. The year must be within the Wenatchee Police Department to be eligible to test for Corporal.

SECOND CLASS PATROL OFFICER: An applicant must have at least two and one half years of service before being eligible as a First Class Patrol Officer.

THIRD CLASS PATROL OFFICER: An applicant must have at least one year of total service before being eligible as a Second Class Patrol Officer.

ENTRY LEVEL PATROL OFFICER: An applicant must have at least six months of service before being eligible to be classified as a Third Class Patrol Officer.

**** Promotions earned and not tested include first, second and third class police officer within the department. These promotions are awarded through the Wenatchee Police Department Command Staff and not the Commission. Pay classification for all ranks will be determined by the City of Wenatchee Human Resources Department.**

RULE 14 DISCIPLINARY EMPLOYEE APPEALS:

CAUSES FOR APPOINTING AUTHORITY ACTION: An employee, under the provisions of these rules may be removed, discharged or lose privileges for cause including but not limited to:

- a. Lack of mental or physical fitness for the position the employee holds.
- b. An action subject to disciplinary action as outlined by the Employee Handbook Chapter 7.

PROCEDURE FOR INVESTIGATION: No employee will be removed, suspended, demoted or discharged (hereby known as an action) except for cause and by the written request of the Appointing Authority. Written notice will be served to the employee in question and a duplicate notice filed with the Commission. Any employee served with an action may, within ten days, file in writing and request an investigation by the Commission. Appeals to the Commission will be limited to actions that include removal, suspension, demotion and/or discharge only.

The Commission will conduct an investigation within sixty days of the date the appeal is received. The investigation will be confined to the determination of the action being for cause. The employee may utilize labor representation, private representation or the Commission; however, they are only allowed to select one investigating authority. An employee may request in writing, the Commission to delay an investigation, however, the Commission has the authority to grant or modify that request.

COMMISSION INVESTIGATION: After a request from a civil service represented employee, the Commission will investigate an action by the Appointing Authority. The Commission will hold a hearing, after proper notification by the Secretary, with the employee and the Appointing Authority. The hearing will be recorded by the Secretary and the Commission will then determine if there was cause or no cause for the action. The Commission has the authority to support or alter the action taken by the Appointing Authority.

If the Appointing Authority is not satisfied with the decision of the Commission, they can initiate an appeal in writing to the Commission. If after appeal, the employee or the Appointing Authority is not satisfied with the decision of the Commission, they may go to the Superior Court of Chelan County to be heard, as provided by Chapters 41.08 and 41.12 of the RCW.

RULE 15 LEAVES

LEAVES OF ABSENCE: An absence for up to one-hundred and twenty days without pay may be granted by the Appointing Authority. If the absence without pay is more than four months (120 days), the Appointing Authority will notify the Commission of the extended leave. Leaves of absence will be granted by the Appointing Authority and as outlined in Chapter 5 of the Employee Handbook. Collective Bargaining Agreements will prevail when granting leave of absence.

RULE 16 LAY OFFS/REDUCTION IN FORCES/REHIRE:

If the department must incorporate a reduction in forces, layoffs shall occur in the inverse order of seniority. Efficiencies may be considered within the Wenatchee Fire Department at a time of layoff. .

When re-hire occurs, employees will be given credit for seniority. Any changes to employment due to a reduction in forces will be brought by the Appointing Authority to the Commission. Any employee on an extended approved medical leave will be eligible for first consideration for rehire. If the employee will not be returning to their former position, the Commission may grant entitlement on a current eligibility list. No new hires shall occur until all laid off employees, who have been laid off 18 months or less, have had an opportunity to return to work with full seniority or eighteen months have passed. No new promotions shall occur until all employees have returned to the rank held prior to layoff. Collective Bargaining Agreements will prevail when creating lists for rehire.

RULE 17 RESIGNATION

Procedure: An employee may resign, in writing to their Appointing Authority as outlined in the Employee Handbook (section 2.10). To resign in good standing, an employee will give at least two calendar weeks of notice, unless a shorter period of notice is agreed upon. An employee resignation and the circumstances of resignation will be recorded by the Commission. If an employee voluntarily resigns or is constructively discharged, they do not have appeal rights through the Commission.

In the event an employee holding a permanent position resigns in good standing and reapplies for employment within one year, the Commission will, at their discretion and with the approval of the Appointing Authority, place that individual's name at the top of the existing list for consideration of that list. The rehired individual will not be eligible for promotional exams for a period of one year after their rehire.

RULES 18 REPORTS OF CLASSIFICATION

Classification: The Appointing Authority, in conjunction with the Secretary, will keep the Commission informed of all classified job positions covered by the Civil Service System.

Duties of the Appointing Authority: In order for the Commission to keep proper record of changes in the classified service, the Appointing Authority will provide written notice to the Secretary of the following acts:

- a. Probationary or temporary appointments
- b. Refusal to accept an appointment
- c. Separation from employment

Commission Duties: The Secretary will report to the Commission any changes in the classification of positions to include any appointments, promotions or separations of employment. The Appointing Authority will provide the commission with an updated organizational chart.

RULE 19 ELIGIBILITY OF SALARY

CONFORMANCE WITH RULES: No payment in compensation of service shall be approved or made to any person until an offer of position has been made and accepted.

CLASSIFIED CIVIL SERVICE POSITIONS: The Commission will represent all of the listed employees for the Wenatchee Police Department and Wenatchee Fire Department.

- A. Wenatchee Fire Department
 - Assistant Chief
 - Battalion Chief
 - Captain
 - Engineer-Driver
 - Fire Fighter First Class
 - Fire Fighter Second Class
 - Fire Fighter Third Class
 - Fire Fighter Recruit
 - Administrative Assistant to the Fire Chief
 - Receptionist/Secretary

B. Wenatchee Police Department

Captain

Sergeant

Corporal

Patrol Officer First Class

Patrol Officer Second Class

Patrol Officer Third Class

Patrol Officer Recruit

Administrative Assistance to the Police Chief

Records Specialist

Records Specialist II

Traffic Violations Clerk

Parking Enforcement Clerk

Support and Technical Services Manager

